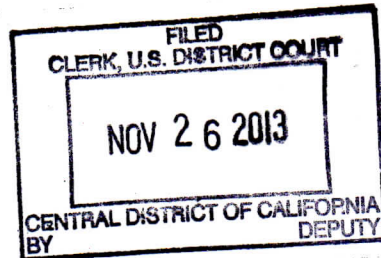


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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

KELLIE RAYLYNN WILSON,

Plaintiff,

vs.

ONEMAIN FINANCIAL, INC.; and
DOES 1 to 10, inclusive,

Defendant(s).

Case No. **CV 13-8749** SH

**COMPLAINT AND DEMAND FOR
JURY TRIAL FOR:**

- 1. VIOLATIONS OF THE
TELEPHONE CONSUMER
PROTECTION ACT
[47 U.S.C. § 227]**
- 2. VIOLATIONS OF THE
ROSENTHAL FAIR DEBT
COLLECTION PRACTICES
ACT
[CAL. CIV. CODE § 1788]**

COMPLAINT FOR DAMAGES

I. INTRODUCTION

1. Kellie RayLynn Wilson ("Plaintiff") brings this action to secure redress from ONEMAIN FINANCIAL, INC. ("Defendant") for violations of the Telephone Consumer Protection Act ("TCPA"), 47 U.S.C. § 227 and Rosenthal

1 Fair Debt Collection Practices Act ("RFDCPA"), CAL. CIV. CODE § 1788. The
2 TCPA is a federal statute that broadly regulates the use of automated telephone
3 equipment. Among other things, the TCPA prohibits certain unsolicited
4 marketing calls, restricts the use of automatic dialers or prerecorded messages,
5 and delegates rulemaking authority to the Federal Communications Commission
6 ("FCC"). The RFDCPA prohibits debt collectors from engaging in abusive,
7 deceptive and unfair practices in connection with the collection of consumer
8 debts.

9 10 **II. JURISDICTION**

11 2. Jurisdiction in this Court is proper pursuant to 28 U.S.C. § 1331 as
12 Plaintiff's claims arise under the laws of the United States. Jurisdiction in this
13 Court is also proper pursuant to 28 U.S.C. § 1367 as Plaintiff's RFDCPA claim is
14 so related to Plaintiff's TCPA claim that they form part of the same case or
15 controversy under Article III of the United States Constitution.

16 3. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b)
17 because the acts and transactions alleged in this Complaint occurred here,
18 Plaintiff resides here, and Defendant transacts business here.

19 20 **III. PARTIES**

21 4. Plaintiff is an individual, residing at a permanent residence in Los
22 Angeles County, 4073 ½ 8th Avenue, Los Angeles, CA 90008. Plaintiff is a
23 natural person from whom a debt collector seeks to collect a consumer debt
24 which is due and owing or alleged to be due and owing from such person. Thus,
25 Plaintiff is a "debtor" as defined by the RFDCPA, CAL. CIV. CODE § 1788.2(h).

26 5. Defendant is a national corporation with its principal place of
27 business located at 6801 Colwell Blvd, Irving, TX 75039.

1 6. In the ordinary course of business, regularly, on behalf of itself or
2 others, Defendant engages in debt collection. Thus, Defendant is a "debt
3 collector" as defined by the RFDCPA, CAL. CIV. CODE § 1788.2(c). Defendant
4 regularly engages in the collection of debt by telephone in several states
5 including, California.

6 7. The true names and capacities, whether individual, corporate, or in
7 any other form, of Defendants DOES 1 through 10, inclusive, and each of them,
8 are unknown to Plaintiff, who therefore sues them by such fictitious names.
9 Plaintiff will seek leave to amend this Complaint to show the true names and
10 capacities of DOES 1 through 10 should they be discovered.

11 **IV. FACTUAL ALLEGATIONS**

12 8. Within one year prior to the filing of this action, Defendant contacted
13 Plaintiff to collect a debt allegedly incurred by Plaintiff as a consumer personal
14 loan ("alleged debt"). Defendant identifies the alleged debt by account number
15 0501090141846. The alleged debt is money, property or their equivalent, due or
16 owing or alleged to be due or owing from a natural person by reason of a
17 consumer credit transaction, which qualifies as "consumer debt," as defined by
18 RFDCPA, CAL. CIV. CODE § 1788.2(f).

19 9. At all times relevant to this action, Defendant owned, operated
20 and/or controlled telephone numbers 800-202-1266 and 323-856-5500. At all
21 times relevant to this action, Defendant called Plaintiff from, but not limited to,
22 telephone numbers 800-202-1266 and 323-856-5500.

23 10. Within one year prior to the filing of this action, Defendant
24 regularly and repeatedly called Plaintiff at Plaintiff's cellular telephone number
25 (323) 679 - 7678.

26 11. Within one year prior to the filing of this action, Defendant caused
27 Plaintiff's telephone to ring repeatedly and continuously to annoy Plaintiff.
28

1 12. Within one year prior to the filing of this action, Defendant
2 communicated with Plaintiff with such frequency as to be unreasonable under the
3 circumstances and to constitute harassment.

4 13. Between January 1, 2013 and July 30, 2013, Defendant called
5 Plaintiff no less than three hundred and twenty five (325) times.

6 14. Within one year prior to the filing of this action, Defendant
7 repeatedly called Plaintiff multiple times over the course of one day for the
8 purpose of collecting the alleged debt. Plaintiff received daily and weekly calls
9 from "Mike", a representative of defendant, who demanded payment from
10 plaintiff. Plaintiff told "Mike" numerous times to stop calling her on her cellular
11 telephone. Plaintiff continued to receive an unreasonable number of calls despite
12 her requests for defendant to stop the continuous calls. For example, on or about,
13 but not limited to, between, June 1, 2013 and July 30, 2013, Defendant called
14 Plaintiff no less than ten (10) times times despite having been told to stop calling
15 her on her cellular telephone.

16 15. Defendant's conduct as described in detail above was done to
17 harass, oppress, or abuse Plaintiff.

18 16. Defendant's conduct as described in detail above amounted to an
19 unfair or unconscionable means to collect or attempt to collect the alleged debt.

20 **V. CAUSE OF ACTION**

21 **(Violation of the Rosenthal Fair Debt Collection Practices Act, CAL. CIV.**
22 **CODE § 1788)**

23 17. Plaintiff incorporates herein by reference all of the above paragraphs
24 of this complaint as though fully set forth herein at length.

25 18. Defendant violated the RFDCPA. Defendant's violations include,
26 but are not limited to, the following:

27 (a) Defendant violated CAL. CIV. CODE § 1788.11(d) by causing a
28 telephone to ring repeatedly or continuously to annoy the person called; and

1 (b) Defendant violated CAL. CIV. CODE § 1788.11(e) by communicating,
2 by telephone or in person, with the debtor with such frequency as to be
3 unreasonable and to constitute an harassment to the debtor under the
4 circumstances; and

5 (c) Defendant violated CAL. CIV. CODE § 1788.17 by collecting or
6 attempting to collect a consumer debt without complying with the provisions of
7 Sections 1692b to 1692j, inclusive, of . . . Title 15 of the United States Code (Fair
8 Debt Collection Practices Act).

9 (i) Defendant violated CAL. CIV. CODE § 1788.17 by violating 15
10 U.S.C. § 1692d by engaging in conduct, the natural consequence of which is to
11 harass, oppress or abuse any person in connection with the collection of the
12 alleged debt; and

13 (ii) Defendant violated CAL. CIV. CODE § 1788.17 by violating 15
14 U.S.C. § 1692d(5) by causing Plaintiff's phone to ring or engaging Plaintiff in
15 telephone conversations repeatedly; and

16 (iii) Defendant violated CAL. CIV. CODE § 1788.17 by violating 15
17 U.S.C. § 1692f by using unfair or unconscionable means in connection with the
18 collection of an alleged debt.

19 19. Defendant's acts, as described above, were done intentionally with
20 the purpose of coercing Plaintiff to pay the alleged debt.

21 20. As a result of the foregoing violations of the RFDCPA,
22 Defendant is liable to Plaintiff for declaratory judgment that Defendant's
23 conduct violated the RFDCPA, actual damages, statutory damages, and
24 attorney's fees and costs.

25
26 **VI. SECOND CAUSE OF ACTION**

27 **(Violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227)**
28

1 48. Plaintiff incorporates by reference all of the above paragraphs of
2 this Complaint as though fully stated herein.

3 49. Defendant violated the TCPA. Defendant's violations include, but
4 are not limited to the following:

5 (a) Within four years prior to the filing of this action, on multiple
6 occasions, Defendant violated TCPA 47 U.S.C. § 227 (b)(1)(A)(iii) which states
7 in pertinent part, "It shall be unlawful for any person within the United States . . .
8 to make any call (other than a call made for emergency purposes or made with the
9 prior express consent of the called party) using any automatic telephone dialing
10 system or an artificial or prerecorded voice — to any telephone number assigned
11 to a . . . cellular telephone service . . . or any service for which the called party is
12 charged for the call.

13 (b) Within four years prior to the filing of this action, on multiple
14 occasions, Defendant willfully and/or knowingly contacted Plaintiff at Plaintiff's
15 cellular telephone using an artificial prerecorded voice or an automatic telephone
16 dialing system and as such, Defendant knowing and/or willfully violated the
17 TCPA.

18 50. As a result of Defendant's violations of 47 U.S.C. § 227, Plaintiff is
19 entitled to an award of five hundred dollars (\$500.00) in statutory damages, for
20 each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B). If the Court finds
21 that Defendant knowingly and/or willfully violated the TCPA, Plaintiff is entitled
22 to an award of one thousand five hundred dollars (\$1,500.00), for each and every
23 violation pursuant to 47 U.S.C. § 227(b)(3)(B) and 47 U.S.C. § 227(b)(3)(C).

24 51. Plaintiff is also entitled to seek injunctive relief prohibiting such
25 conduct in the future.
26
27
28

VII. PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that judgment be entered against Defendant for the following:

- (a) An injunction prohibiting Defendant from contacting Plaintiff on Plaintiff's cellular telephone using an automated dialing system pursuant to 47 U.S.C. § 227(b)(3)(A); and
- (b) Actual damages pursuant to CAL. CIV. CODE § 1788.30(a); and
- (c) As a result of Defendant's violations of 47 U.S.C. § 227(b)(1), Plaintiff is entitled to and requests five hundred dollars (\$500.00) in statutory damages, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B); and
- (d) As a result of Defendant's willful and/or knowing violations of 47 U.S.C. § 227(b)(1), Plaintiff is entitled to and requests treble damages, as provided by statute, up to one thousand five hundred dollars (\$1,500.00), for each and every violation pursuant to 47 U.S.C. § 227(b)(3)(B) and 47 U.S.C. § 227(b)(3)(C); and
- (e) Statutory damages pursuant to CAL. CIV. CODE § 1788.30(b); and
- (f) Costs and reasonable attorney's fees pursuant to CAL. CIV. CODE § 1788.30(c); and
- (g) Awarding Plaintiff any pre-judgment and post-judgment interest as may be allowed under the law; and
- (h) For such other and further relief as the Court may deem just and proper.

1 **VII. DEMAND FOR JURY TRIAL**

2 Please take notice that Plaintiff demands a trial by jury in this action.

3
4
5 Dated: 11/25/13

RESPECTFULLY SUBMITTED,
MARTIN LAW GROUP

6
7
8 By: 

9 Agnes Martin
10 Attorneys for Plaintiff
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UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

CIVIL COVER SHEET

I. (a) PLAINTIFFS (Check box if you are representing yourself ☐)DEFENDANTS (Check box if you are representing yourself ☐)

Kellie RayLynn Wilson

ONEMAIN FINANCIAL, INC.

(b) County of Residence of First Listed Plaintiff Los Angeles

County of Residence of First Listed Defendant

(EXCEPT IN U.S. PLAINTIFF CASES)

(IN U.S. PLAINTIFF CASES ONLY)

(c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

Agnes Martin, Martin Law Group
3500 W. Olive Avenue, Suite 300
Burbank, CA 91505

II. BASIS OF JURISDICTION (Place an X in one box only.)

☐ 1. U.S. Government Plaintiff☒ 3. Federal Question (U.S. Government Not a Party)☐ 2. U.S. Government Defendant☐ 4. Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES—For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant)

| | | | | | |
|---|---|--------------------------------|---|--------------------------------|---------------------------------------|
| Citizen of This State | PTF <input checked="" type="checkbox"/> 1 | DEF <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State | PTF <input type="checkbox"/> 4 | DEF <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. ORIGIN (Place an X in one box only.)

☒ 1. Original Proceeding ☐ 2. Removed from State Court ☐ 3. Remanded from Appellate Court ☐ 4. Reinstated or Reopened ☐ 5. Transferred from Another District (Specify) ☐ 6. Multi-District Litigation

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)CLASS ACTION under F.R.Cv.P. 23: ☐ Yes ☒ No☒ MONEY DEMANDED IN COMPLAINT: \$ according to proof

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

Unlawful Debt Collection Practices and Telephone Consumer Protection Act

VII. NATURE OF SUIT (Place an X in one box only.)

| OTHER STATUTES | CONTRACT | REAL PROPERTY CONT. | IMMIGRATION | PRISONER PETITIONS | PROPERTY RIGHTS |
|--|--|---|--|--|--|
| <input type="checkbox"/> 375 False Claims Act | <input type="checkbox"/> 110 Insurance | <input type="checkbox"/> 240 Torts to Land | <input type="checkbox"/> 462 Naturalization Application | Habeas Corpus: | <input type="checkbox"/> 820 Copyrights |
| <input type="checkbox"/> 400 State Reapportionment | <input type="checkbox"/> 120 Marine | <input type="checkbox"/> 245 Tort Product Liability | <input type="checkbox"/> 465 Other Immigration Actions | <input type="checkbox"/> 463 Alien Detainee 510 Motions to Vacate Sentence | <input type="checkbox"/> 830 Patent |
| <input type="checkbox"/> 410 Antitrust | <input type="checkbox"/> 130 Miller Act | <input type="checkbox"/> 290 All Other Real Property | TORTS | <input type="checkbox"/> 530 General | <input type="checkbox"/> 840 Trademark |
| <input type="checkbox"/> 430 Banks and Banking | <input type="checkbox"/> 140 Negotiable Instrument | TORTS | PERSONAL PROPERTY | <input type="checkbox"/> 535 Death Penalty | SOCIAL SECURITY |
| <input type="checkbox"/> 450 Commerce/ICC Rates/Etc. | <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment | PERSONAL INJURY | <input type="checkbox"/> 370 Other Fraud | Other: | <input type="checkbox"/> 861 HIA (1395ff) |
| <input type="checkbox"/> 460 Deportation | <input type="checkbox"/> 151 Medicare Act | <input type="checkbox"/> 310 Airplane | <input type="checkbox"/> 371 Truth in Lending | <input type="checkbox"/> 540 Mandamus/Other | <input type="checkbox"/> 862 Black Lung (923) |
| <input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org. | <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.) | <input type="checkbox"/> 315 Airplane Product Liability | <input type="checkbox"/> 380 Other Personal Property Damage | <input type="checkbox"/> 550 Civil Rights | <input type="checkbox"/> 863 DIWC/DIWW (405 (g)) |
| <input checked="" type="checkbox"/> 480 Consumer Credit | <input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits | <input type="checkbox"/> 320 Assault, Libel & Slander | <input type="checkbox"/> 385 Property Damage Product Liability | <input type="checkbox"/> 555 Prison Condition | <input type="checkbox"/> 864 SSID Title XVI |
| <input type="checkbox"/> 490 Cable/Sat TV | <input type="checkbox"/> 156 Stockholders' Suits | <input type="checkbox"/> 330 Fed. Employers' Liability | BANKRUPTCY | <input type="checkbox"/> 560 Civil Detainee Conditions of Confinement | <input type="checkbox"/> 865 RSI (405 (g)) |
| <input type="checkbox"/> 850 Securities/Commodities/Exchange | <input type="checkbox"/> 159 Other Contract | <input type="checkbox"/> 340 Marine | <input type="checkbox"/> 422 Appeal 28 USC 158 | FORFEITURE/PENALTY | FEDERAL TAX SUITS |
| <input type="checkbox"/> 890 Other Statutory Actions | <input type="checkbox"/> 195 Contract Product Liability | <input type="checkbox"/> 345 Marine Product Liability | <input type="checkbox"/> 423 Withdrawal 28 USC 157 | <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 | <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) |
| <input type="checkbox"/> 891 Agricultural Acts | <input type="checkbox"/> 196 Franchise | <input type="checkbox"/> 350 Motor Vehicle | CIVIL RIGHTS | <input type="checkbox"/> 690 Other | <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609 |
| <input type="checkbox"/> 893 Environmental Matters | REAL PROPERTY | <input type="checkbox"/> 355 Motor Vehicle Product Liability | <input type="checkbox"/> 440 Other Civil Rights | LABOR | |
| <input type="checkbox"/> 895 Freedom of Info. Act | <input type="checkbox"/> 210 Land Condemnation | <input type="checkbox"/> 360 Other Personal Injury | <input type="checkbox"/> 441 Voting | <input type="checkbox"/> 710 Fair Labor Standards Act | |
| <input type="checkbox"/> 896 Arbitration | <input type="checkbox"/> 220 Foreclosure | <input type="checkbox"/> 362 Personal Injury-Med Malpractice | <input type="checkbox"/> 442 Employment | <input type="checkbox"/> 720 Labor/Mgmt. Relations | |
| <input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision | <input type="checkbox"/> 230 Rent Lease & Ejectment | <input type="checkbox"/> 365 Personal Injury-Product Liability | <input type="checkbox"/> 443 Housing/Accommodations | <input type="checkbox"/> 740 Railway Labor Act | |
| <input type="checkbox"/> 950 Constitutionality of State Statutes | | <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability | <input type="checkbox"/> 445 American with Disabilities-Employment | <input type="checkbox"/> 751 Family and Medical Leave Act | |
| | | <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability | <input type="checkbox"/> 446 American with Disabilities-Other | <input type="checkbox"/> 790 Other Labor Litigation | |
| | | <input type="checkbox"/> 369 Personal Injury Product Liability | <input type="checkbox"/> 448 Education | <input type="checkbox"/> 791 Employee Ret. Inc. Security Act | |

FOR OFFICE USE ONLY:

Case Number:

CV-71 (11/13)

CIVIL COVER SHEET

Page 1 of 3

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

VIII. VENUE: Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

| | | | |
|---|---|--|-------------------------------------|
| Question A: Was this case removed from state court? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX. | STATE CASE WAS PENDING IN THE COUNTY OF: | | INITIAL DIVISION IN CACD IS: |
| | <input type="checkbox"/> Los Angeles | | Western |
| | <input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo | | Western |
| | <input type="checkbox"/> Orange | | Southern |
| | <input type="checkbox"/> Riverside or San Bernardino | | Eastern |

| | | | |
|--|---|---|-------------------------------------|
| Question B: Is the United States, or one of its agencies or employees, a party to this action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX. | If the United States, or one of its agencies or employees, is a party, is it: | | INITIAL DIVISION IN CACD IS: |
| | A PLAINTIFF? | A DEFENDANT? | |
| | Then check the box below for the county in which the majority of DEFENDANTS reside. | Then check the box below for the county in which the majority of PLAINTIFFS reside. | |
| | <input type="checkbox"/> Los Angeles | <input type="checkbox"/> Los Angeles | Western |
| | <input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo | <input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo | Western |
| | <input type="checkbox"/> Orange | <input type="checkbox"/> Orange | Southern |
| <input type="checkbox"/> Riverside or San Bernardino | <input type="checkbox"/> Riverside or San Bernardino | Eastern | |
| <input type="checkbox"/> Other | <input type="checkbox"/> Other | Western | |

| Question C: Location of plaintiffs, defendants, and claims? (Make only one selection per row) | A. Los Angeles County | B. Ventura, Santa Barbara, or San Luis Obispo Counties | C. Orange County | D. Riverside or San Bernardino Counties | E. Outside the Central District of California | F. Other |
|---|-------------------------------------|--|----------------------------|---|---|-------------------------------------|
| Indicate the location in which a majority of plaintiffs reside: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Indicate the location in which a majority of defendants reside: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Indicate the location in which a majority of claims arose: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | |
|---|---|
| C.1. Is either of the following true? If so, check the one that applies: <input type="checkbox"/> 2 or more answers in Column C <input type="checkbox"/> only 1 answer in Column C and no answers in Column D Your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question D, below. If none applies, answer question C2 to the right. → | C.2. Is either of the following true? If so, check the one that applies: <input type="checkbox"/> 2 or more answers in Column D <input type="checkbox"/> only 1 answer in Column D and no answers in Column C Your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question D, below. If none applies, go to the box below. ↓ |
| Your case will initially be assigned to the WESTERN DIVISION. Enter "Western" in response to Question D below. | |

| | |
|---|---------------------------------|
| Question D: Initial Division? | INITIAL DIVISION IN CACD |
| Enter the initial division determined by Question A, B, or C above: → | Western Division |

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEETIX(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ NO ☐ YES

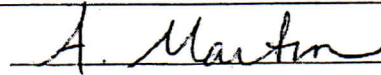
If yes, list case number(s): _____

IX(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ NO ☐ YES

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- ☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

X. SIGNATURE OF ATTORNEY
(OR SELF-REPRESENTED LITIGANT):

DATE: 11-25-13

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

Key to Statistical codes relating to Social Security Cases:

| Nature of Suit Code | Abbreviation | Substantive Statement of Cause of Action |
|---------------------|--------------|--|
| 861 | HIA | All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b)) |
| 862 | BL | All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923) |
| 863 | DIWC | All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g)) |
| 863 | DIWW | All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g)) |
| 864 | SSID | All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended. |
| 865 | RSI | All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g)) |